

Doc Code:



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TK-W

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Effective 10/01/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$130.00

**Complete if Known**

Application Number	10/749,044
Filing Date	December 29, 2003
First Named Inventor	Dennis Schultz
Examiner Name	Flemming Saether
Art Unit	3677
Attorney Docket No.	HISHE 66719

**METHOD OF PAYMENT** (check all that apply)
 Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_

 Deposit    Deposit Account Number: 06-2425    Deposit Account Name: Fulwider Patton ....

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid(\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple Dependent Claims
Fee (\$)
Fee Paid (\$)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$25.00	= \$0.00		

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$100.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0 / 50 0	(round up to a whole)	x \$125.00 = \$0.00	

**4. OTHER FEE(S)**

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer

\$130.00

**SUBMITTED BY**

Signature	David G. Parkhurst	Registration No. (Attorney/Agent)	29,422	Telephone	310-824-5555
Name (Print/Type)	David G. Parkhurst		Date	September 12, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DENNIS SCHULTZ

Serial No.: 10/749,044

Filed: December 29, 2003

For: LOBED DRIVE FOR HI-LITE  
FASTENER

Examiner: Flemming Saether

Group Art Unit: 3677

Docket No. HISHE 66719

Los Angeles, California 90045

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTIONUNDER 37 C.F.R. 1.321

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, HI-SHEAR CORPORATION, a California corporation having a place of business at 2600 Skypark Drive, Torrance, California 90509, is the assignee and owner of 100 percent interest in the instant application, Serial No. 10/749,044, filed on December 29, 2003, for LOBED DRIVE FOR HI-LITE FASTENER, which is a continuation of Serial No. 10/171,475 filed June 13, 2002, now Patent No. 6,736,580, which is a continuation-in-part of Serial No. 10/052,238, filed January 16, 2002, now Patent No. 6,655,888, as recorded at reel 013260 Frame 0883 in connection with Serial No. 10/171,475. The assignment document has been reviewed, and petitioner hereby

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certifies that, to the best of petitioner's knowledge and belief, title in the instant application, Serial No. 10/749,044, is in petitioner.

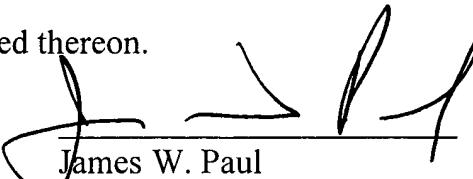
Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,655,888 and prior Patent No. 6,736,580, which are also owned by petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior Patent No. 6,655,888 and prior Patent No. 6,736,580 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of prior Patent No. 6,655,888 and/or prior Patent No. 6,736,580, as presently shortened by any terminal disclaimer, in the event that any of them later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9-12-05  
Date

  
James W. Paul  
Reg. No. 29,967

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-3-

Serial No.: 10/749,044  
Client ID/Matter No. HISHE 66719